R.D. File No. 398
1939

F 3 — Collection No.

D A

CB 22/7/47. mas 23/7

Pros. / Serial Nos. 1 – 12

(K)

Subject.

Petition for mercy from Anthonisamy sentenced to death - Rejected

Previous References.

F 101/34

Later References.

S. 97.—(Green).

MFP—1663 S&P—(M-2971)—24-6-38—100,000.

NOTES AND PRECIS.

Dy.No. 6736 S.N. 1

1

× Cor. p. 14
encl to S.N. 3
F. 963-37

Please see the instructions regarding the procedure to be observed by the Resident for the submission of petitions for mercy from or on behalf of convicts under sentence of death. As laid down in these instructions, the present petition has been correctly addressed both to the Resident and to the Crown Representative. The Resident can adopt one of two courses. Under Instruction III, he may (i) reject the petition. In that case the petition shall be forwarded to the Secretary to the Crown Representative. Or he may (ii) commute the sentence. In that case the petition to the Crown Representative shall be with-held and intimation regarding the commutation of the sentence shall be sent to the petitioner. Under Instruction VI, the Resident should forward his observations in respect of any of the grounds urged in favour of commutation.

2

* Coorg Office
File sent a/o to
Addl. Judl. Comr.
for favour of views.

A reference has recently been received from the Government of India regarding the impropriety of the Chief Commissioner entertaining petitions for mercy against his own orders passing a sentence of death in referred trials. The position does not really look so incongrous when viewed from the angle that he is called upon to take into account, as a representative of the King, the fountain source of all law and justice, certain considerations which could not weigh with him while his duty was to strictly enforce the letter of the law. For instance, continued unchastity and infedility on the part of the wife without more is no extenuating circumstance under the penal law, and the murder of such a wife has to be punished with the extreme penalty; but viewed from a plane other than the purely legal, there can be no conceivable circumstance which should more justifiably call for a mitigation of the rigour of the law; and the Judge whose hands were tied by the law is pre-eminently competent to exercise clemency in another capacity.

a matter of opinion

2/

3

pp. 3 et seq (A) & (H)

Please see the sentence of death passed by the Sessions Judge, and the order of confirmation passed by the Appellate Court.

4

Before considering the case on merits, it appears, a reference may be made to the military authorities regardin the good and clean record which the condemned man is said to have had. On a similar representation from a person sentenced to death, the fact was verified from the Commissioner of Police. Draft is for approval in case it is decided to make such a reference.

4 S.N.2 (L) F 107-34

AsRao
3.7.39

(from para 1)

5 Draft may be issued

Secretary.

Rumbold
4/7/39

Resident. 6. "I agree with the marked part."

Derby

S. N. (2) issued

Dy.No. 6826	S.N. 3
Dy.No. 6867	S.N. 4

7

enclosures to P.W.C.

Please see the remarks made by the various military officers who had personal knowledge of the accused from 1915 onwards.

8 (H)

Please see paragraph 8 of the Appellate Court judgment The motive for the murder has not been proved, and from the words uttered by the accused at the time of the deed, it appears he wanted to make an example of what fate, accordin to him, should overtake an erring wife. In this connection

Secretary

attention is invited to M.O. 14 in the case, which furnishes the cause for the accused's misery.

Submitted for orders.

ASRao
6.7.39

Secretary 9. Forades. As Resident knows the case well. I give no recommendation though this is the type of case in which the desirability of commutation of death sentence must certainly be considered

H Rulyar
8/7/39.

Resident-10. Review of the brutality of the double murder cannot be my way to commend the sentence M.O. 14 which in the year 1934 this any case would not warrant any recommend for it. after to grounds for mitigation while case of the children the relation is regarded there is no ground for interference with the record of the proceedings in Chanda 9-7/7.

(R) × Cor. p.14 / F.963-37

11 Under Instruction III, when Resident rejects the petition for mercy, it shall be forwarded to the Crown Representative. Please see Instruction VI. Perhaps the following papers may be forwarded:

× Draft I

1. Copy of the Proceedings of the Hon'ble the Resident rejecting the petition,
2. Copy of translation of M.O.14,
3. Printed record of the Appeal, which contains the judgment of the Sessions Judge, depositions, charge and opinion of assessors, and
4. Judgment and ~~record~~ order of the Resident
5. Copy of testimonials given by the military authorities

Ⓐ

P.U.C's

Rsa 9.7.39

Rsa 9.7.39

12 After the draft issues, the Superintendent, Central Jail will be informed that the petition has been forwarded to the Crown Representative for orders. Under Instruction II, the execution shall be postponed until receipt of orders.

13 Draft is submitted for approval.

AsRao 9.7.39

Ramayan 10/7/39

Secretary.

Resident

14. As usual

10/7/39

S. N. (5) issued

15 Please see Instruction II of the Instructions relating to the duties of Superintendents of Jails in connection with petitions for mercy. If no reply is received within 15 days from the date of the despatch of the petition, he shall report immediately to the Secretary to the Resident. The 15 days period expires on the 18th. Instead of waiting for that communication, perhaps he may be ~~requested~~ informed

× Cor. p.20 / F.963-37 (R)

Draft submitted.

Ramayan 14/7/39.

S. N. (6) issued

Secretary.

AsRao. 13.7.39

5/

Dy.No. 7333 S.N. 7

16 No action is necessary. The orders of the Crown Representative may be awaited. May be filed.

ASRao
18.7.39

19.7. (para 16)

~~A.S.~~

Dy.No. 7483 S.N. 8

17 Resident's remarks on P.U.C.

Early disposal

(Id) J.G.

18 Draft of a telegram to Polidia is submitted for approval.

19 The prisoner may be informed of the purport of the Crown Representative's orders. Draft submitted.

20 The Superintendent, Central Jail, may be asked to acknowledge receipt of the communication by special messenger. Draft submitted.

ASRao
21.7.39

21/7/39. (from para 17)

Secretary.

S. N. (9), (10) & (11) issue

Dy.No. 7564 S.N. 12

Record.

ASRao
24.7.39

Resident has seen paper. No action is necessary. May be filed.

25/7/39

~~2-8-39~~

~~Secretary~~

~~Issued 15-8-39~~

CORRESPONDENCE.

In reply please quote Number and date.

Telephone No. 2131.

From

P. SHAMA RAO, Esq., B.A., L. M. & S.,
Superintendent, Central Jail,
BANGALORE.

To

The Secretary to the Hon'ble the Resident in Mysore,
B A N G A L O R E.

OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE, BANGALORE.
3 JUL. 1939
Diary No. 6736
File No.

No. 1249/7.16 Enc. One

Dated 3rd July 1939

Sir,

PETITION FOR MERCY FROM CONVICT No.4009 ANTHONISAMY UNDER SENTENCE OF DEATH.

I have the honour to forward herewith for favour of orders of the Hon'ble the Resident, the petition for mercy received from Anthonisamy sentenced to suffer death in the Sessions Case No. 3 of 1939 on the file of the Sessions Judge, Civil and Military -- Station, Bangalore. The sentence of death is confirmed by the - Court of the Hon'ble the Resident in the Criminal Referred Case No. 2 of 1939 and Criminal Appeal No.3 of 1939. The order of confirmation of the Capital sentence was received in the Jail on 29-7-1939 and the same was on the same day communicated to the said Anthonisamy for his information.

The Sessions Judge has issued warrant to carry out the -- Capital sentence on 15-7-1939. Pending receipt of the orders from the Hon'ble the Resident on the petition for mercy the execution of the sentence on 15-7-1939 will be postponed.

I have the honour to be,
Sir,
Your most obedient servant.
P. Shama Rao
Superintendent.

NPV.

Original forwarded to the Political Department 12

BEFORE THE HON'BLE THE RESIDENT IN MYSORE, BANGALORE AND

BEFORE HIS EXCELLENCY THE CROWN REPRESENTATIVE, NEW DELHI.

PETITIONER;- Anthoniswamy, Prisoner now in the Central Jail, Bangalore.

SUBMISSION OF THE PETITION FOR MERCY.

The Petitioner most humbly and respectfully begs leave to submit this, his petition for mercy from the Criminal Referred Case No.2 of 1939 and Criminal Appeal No.3 of 1939 on the file of the Court of the Hon'ble the Resident for the following among other grounds:- The petitioner's appeal in the Court of the Hon'ble the Resident in Mysore, Bangalore, is dismissed and the sentence of Death which is awarded on 13th April 1939 in the Sessions Case No.3 of 1939 by the learned Sessions Judge, The Civil and Military Station at Bangalore, is confirmed on 26th June 1939 by the Hon'ble the Resident and the Additional Judge.

2. The petitioner submits that in case he is not favoured with benefit of doubt in the case he may be kindly shown the natural sympathy and mercy so that he can be saved from the gallows.

3. The petitioner submits that he is an HAVILDAR (a non-commissioned officer) and has put in fourteen years service in the Army and his sufficiently long service is very much appreciated by the authorities and he was never given any kind of punishment while he was in service, and his exemplary character is recorded in the office and this fact may kindly be ascertained and verified from the Officer in charge of the Records, Sappers and Miners, Bangalore, as well as the Pension Pay Master, Madras.

The petitioner is a pensioner, drawing nine rupees and he has in a very satisfactory manner served in four Regiments viz.,

1st Bn. 81st Pioneers.
2nd Bn. 81st Pioneers.
71st Punjabis
2nd Bn. the Madras Pioneers,

and has got good many testimonials from the several British Officers and the said certificates are preserved by the petitioner at home

Further

Further he has served in the WAR in the North Western Field Force in the year 1919 and he is in possession of a Medal and a Clasp.

4. After retirement from Army Service the petitioner was recommended and was appointed as Recruiting clerk in the Training Battalion Sappers and Miners, Bangalore, and was holding this appointment till his arrest in the case.

5. Many of the retired Officers (British and Indian) as well as some of the present officers (British and Indian) will speek for the good character of the petitioner.

6. The petitioner may kindly be pardoned and mercy shown to him. In view of his long and valuable service in the Military Department as well as his Exemplarycharacter so far and in view of the fact that he is still young being about 40 years of age and in view of the fact that he repents for all the sins (if any) in his life and his sincere promise in case an opportunity is created for him that he will prove himself to be an honest and good man in life. The humble petitioner most respectfully appeals to the symptathy of the Hon'ble the Resident and His Excellency the Crown Representative and submits this his petition for mercy in the case.

Sd. Anthoniswamy.

Prisoner No.4009,
Central Jail,
Bangalore.

Central Jail, Bangalore.
Dated the 3rd July 1939.

4/7/39

~~Immediate~~

* To be marked on the envelope also. Gen. Issue 4/7 Issued 4/7/39

paras 3 to 5 of encl. to Rec

S.N.2 x Most Urgent 14

D.O. Death Sentence of Co...

R.Dis.No.F. 398 -39 Judl. Dated July 3

I am desired to forward extracts from a petition for mercy received from ~~Anthonysamy~~ Anthonisamy, who was sentenced to death by the Sessions Judge, Civil and Military Station, Bangalore, for the offence of murder of his wife and two children, and the sentence was confirmed by the Court of the Hon'ble the Resident. The Resident will be grateful if the statements of the convict are kindly verified and a report sent to reach this Residency before the 6th July 1939.

Yours sincerely

sd/- A.J. Courtney

(for Mr. H Trevelyan)

To

Major H.N. Pivouet,

D. A. Q. M. G.

Bangalore

A.R.
3.7.39

Immediate

S. N. 3.

D.O.No.4548/A.

HEADQUARTERS, MADRAS DISTRICT
BANGALORE,
S. INDIA.

5

5th July 1939.

Jc

Dear Mr. Courtney,

* S.N. 2
Corr. p. 5
(*)

Reference your D.O. No. F.398-39 Judl: * dated 4th July 1939. addressed to Major H.N. Pirouet.

A statement of the petitioners service is attached.

His character during the period of his re-employment has been exemplary.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
5 JUL. 1939
Diary No. 6826
File No. J.D. 398/39.

6736
Read 4/7

Yours sincerely

Capt

Offg. D.A.A.G. Madras District.

H. Trevelyan Esq,
Secretary to the Hon'ble the Resident in Mysore,

16

No. 0803 / 4091 / R.4

IMMEDIATE

Q. V. O. Madras Sappers & Miners,
RECORDS OFFICE,

Bangalore, Dated 5 July 19 39.

HEADQUARTERS, - JUL 1939 MADRAS DISTRICT.

To,

Headquarters.
Madras District.
BANGALORE.

Reference conversation between Major H.N. Pirouet, D.A.Q.M.G and Major. A.W. Hooper. Officer i/c Records Q.V.O.Madras S & M. on the evening of 4th July 1939:-

---

I append below particulars of Military Service of No 460 Pensioner Havildar Anthonisamy of the late 2nd Bn. The Madras Pioneers and other Units.

	Date.	Units.
1. Date of Enlistment	14-6-1915	1/81st Pioneers.
2. Transferred	22-1-1918	2/81st Pioneers.
3. Re-transferred	1-8-1920	1/81st Pioneers.
4. Transferred	9-9-1927	2/1st Madras Pnrs.
5. Pensioned on Rs 9/- p.m.	24-5-1929	2nd Bn. Madras Pnrs.
6. Character	EXEMPLARY.	
7. Total Service	13 yrs. 11 months & 11 days.	
8. War Service	N.W.F. of India from 5-6-1919 to 6-8-1919.	
9. Medals.	Indian General Service Medal, 1908.	
10. Appointments.	(a) Appointed 1st Grade Clerk. 1-9-1927.	
	(b) Re-employed as a pensioner, Civilian Clerk in the Recruiting Office, Training Battalion: Q.V.O. Madras Sappers & Miners. where he was working at the time he is alleged to have murdered his wife and children.	

11. We hold no records of the 71st Punjabis.

A.W. Hooper Major

Officer i/c Records. Q.V.O.Madras S & M.

+ 6.35 pm S.N. 4

L7

IMMEDIATE. 5.7.39

No. 4548 To A.

Headquarters, Madras District.

BANGALORE. 5th. July 1939.

To:-

The Secretary to the Hon'ble the Resident in Mysore,

The Residency, BANGALORE.

SUBJECT:- PETITION - DEATH SENTENCE CASE.

Sir,

S.N.3 Capt 6

I have the honour to refer to this Headquarters D.O. No. 4548/A. dated 5th. July 1939, and to forward herewith statements by officers with regard to the character of No. 460 Pensioned Havildar Anthonisami, who is now under sentence of Death.

OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE, BANGALORE. 6 JUL. 1939 Diary No. 6867 File No.

I am Sir,

Your obedient servant,

Major,

D.A.A.G., Madras District.

CAC.

8

IMMEDIATE

No. 0803/4094/R.-4,

Q. V. O. Madras Sappers & Miners,
RECORDS OFFICE,

Bangalore, *Dated* 5th July 1939.

To

Headquarters,
Madras District,
BANGALORE.

SUBJECT :- SUBMISSION OF THE PETITION FOR MERCY.

Reference your No.4548/61/A, dated 5-7-39 and in continuation of this office memo No.0803/4091/R-4, dated 5-7-39.

.....

The statement of the undermentioned officers regarding the character of No.460 Pensioned Havildar Anthonisami of the late 2nd Bn. Madras Pioneers are enclosed herewith.

Capt. W.M.S. Lillie R.E.
Sub-Maj. E.Nukayya
Jemadar Kannayya
" George D'Silva

The enclosure is returned herewith.

W.S. Hooper Major
for COMMANDANT, Q.V.O.MADRAS SAPPERS & MINERS.

STATEMENT OF CAPT. W.M.S. LILLIE R.E., TRAINING BATTALION, Q.V.O. MADRAS SAPPERS & MINERS.

Ex-Hâvildar No. 460 Anthonisamy was employed under me as a clerk in the Recruiting Office of the Trg. Bn. Q.V.O. Madras Sappers & Miners, for about 6 months upto the date of his arrest.

During his time in that office he was quiet, obedient and well behaved.

He never showed any signs of being quarrelsome or of being addicted to alchol.

W.M.S. Lillie

Bangalore, Capt. R.E.,

5-7-39. Trg. Bn. Q.V.O. Madras Sappers & Miners.

STATEMENT OF SUBADAR MAJOR E.NUKAYYA.

I certify that I know No.640 Havildar Anthony -Samy of the late 2nd. Bn. Madras Pioneers, since I joined 2nd. Bn. Madras Pioneers. He was then a Grade Clerk (1st. Grade) working in the Quarter Master's Office. He was very hard working, honest and reliable. To the best of my knowledge I have not seen nor heard of him quarelling with any member of the Unit nor heard of any such things among his family. He left the Unit when it was re-organised during 1929. I remember that he bore an "Exemplary" character, at the time of his leaving the Unit. He is not at all in the habit of taking alcohol while he was in the army.

Bangalore,
5th. Jul. 39.

E. [signature] Subadar-Major,
Q.V.O.Madras Sappers and Miners.

STATEMENT OF JEMADAR GEORGE D'SILVA. 11A.

I certify that I know No.460 Pensioned Havildar ANTHONYSAMI of the late 2nd Bn. Madras Pioneers since 1917. He was a Coy Clerk with me whilst in the 1/81st Pioneers.

He was very punctual in attending office and he was not in any way quarrelsome nor bad tempered with any of his Coy clerks. The British and Indian officers of the Unit were all well pleased with his conduct and character. He was my neighbourer in the married quarters of the Pioneers and I never heard of any quarrel between him and his family.

Lately he was employed as a Recruiting Clerk in the Training Battalion, Q.V.O. Madras Sappers & Miners.

As far as I know he was not addicted to drunkenness and belongs to a respectable family.

G D'Silva JEMADAR,

Bangalore., Q.V.O. MADRAS SAPPERS AND MINERS.

5th/July/39. 5-7-39.

STATEMENT OF JEMADAR KANNIAH.

I have known Pensioned Havildar No. 460 ANTHONISAMI whilst we were both in the late 2nd Bn. Madras Pioneers from about 1926 - 1928 and also during the period he was employed as an assistant clerk in the Recruiting Branch of the Training Battalion, Q.V.O.Madras Sappers and Miners from August 1938 to November 1938.

I have found him to be of good behaviour, reliable, respectable and quiet.

BANGALORE,
5-7-1939.

Jemadar Clerk,
Training Battalion, Q.V.O.
Madras S and M.

(Translation)

26-9-1934

Bangalore City.

Letter from Anthonisami to his brother-in-law (wife's brother) Dr.M.D.Selvaraj.

I came to know that on Monday the 24th at 8 p.m. you beat two youths near your uncle's house and that you were in search of my youngest son to beat him. After knowing this, on the next day morning I came to know the secrets of the girls. I feel sorry that you knew only the happenings on the 24th night and not the hidden secrets. I want to inform you in brief only the following few. For the past 5 or 6 months there was private intimacy between your sisters and the two youths whom you have beaten. On account of the intimacy, secret letters were written by some of your sisters to the youths through youngsters and reply received. The persons that were connected in this are your three sisters - Ponnammal, the eldest and two helpmates - one other sister and Sowrnammal.

Ponnammal had on several occasions gone to the room of the youths and returned after a talk. Sometimes Sowrnammal and Ponnammal had been to that place and had a talk and returned. Those youths used to come through the door near the well in your uncle Jagarayan's house and speak. Many of the members of your family knew this, but from you and Jeeva they concealed it. Without investigating further in the matter and knowing that these secrets would come out, you are blaming me on believing the words of these ladies, and I feel very sorry that you have determined to abuse and beat me unlawfully.

After knowing that my wife Sowrnammal (who is a married girl) - your sister - is a party to this

this nefarious act, can I, as her husband, have no power to punish her? Yesterday she has said the following. One day on standing on the threshold of Jagarayon's house, she lifted her leg showing thereby that she would beat those two youths in that manner. Is it just that she should behave in that manner, when these youths were on the road? Without informing me what has transpired before, she uttered these things only when I question her. There are too many secrets and if you enquire of me in person calmly, I am ready to reveal all these things. For these reason I beat her.

Sd/- Anthonisami.

PROCEEDINGS OF THE HON'BLE THE RESIDENT IN MYSORE.

-:-

R.Dis.No.F.398-39 Judl. Dated Bangalore, the 11th July 1939.

Read:-

Letter from the Superintendent, Central Jail, Bangalore, No.1249/F.16, dated the 3rd July 1939, and petition dated the 3rd July 1939 from Anthonisami, condemned prisoner No. 4009, in Sessions Case No. 3 of 1939.

- - -

O R D E R.

I have carefully considered the petition of the convict and studied the record of the case. There is no room for doubt that the murder of his wife and two children was committed by the convict and none other. No motive adequate to account for the murders has been proved, but the document M.O.14, which relates to year 1934, shows that he suspected the fidelity of his wife. While this might perhaps afford some ground for mitigation of sentence for the murder of his wife, it can, in my opinion, afford none for that of his two children.

The accused has excellent record of service and bears an exemplary character. In view however of the brutality of the murders, I cannot see my way to commute the sentence.

The petition is rejected, and may be forwarded to the Crown Representative along with the records and testimonials to character.

Lieut. Colonel,
R E S I D E N T.

S. N. 5

116

Issued 11/7/39

URGENT - DEATH SENTENCE.

No.R.Dis.F.398-39
Judl.

From

The Hon'ble Lieut.Colonel J.H.Gordon, C.I.E.,O.B.E.,M.C.,
RESIDENT IN MYSORE.

To

The Secretary to His Excellency
the Crown Representative, S I M L A.

Dated Bangalore, the 11th July 1939.

Subject:- Petition for mercy from Anthonisami, sentenced to death.

Sir,

With reference to Instruction III of the Instructions regarding the procedure to be observed for the submission of petitions for mercy from or on behalf of convicts under sentence of death, forwarded with letter from the Political Department No.F.91-I.B/37, dated the 31st August 1937, I have the honour to forward for the orders of His Excellency the Crown Representative, a petition (with the relevant records) from Anthonisami, for commutation of the sentence of death passed on him by the Sessions Judge, Civil and Military Station, Bangalore, and confirmed by the Court of the Resident. The Superintendent of the Central Jail, Bangalore wherein the prisoner is confined, has certified that the petition has been presented in time, and he has certified that the execution of the sentence will be postponed pending the receipt of orders on the petition.

2.

2. I enclose a translation of the document marked M.O.14 in the Sessions Case, to which I have referred in my order rejecting the petition for mercy. I also enclose a copy of testimonials given by the military authorities to whom I referred for an opinion of the petitioner's character in view of paragraphs 3 to 5 of the petition. I rejected the petition in view of the brutality of the murders.

I have the honour to be,

Sir,

Your most obedient servant,

Lieut.Colonel,

R E S I D E N T.

S.N. 6

18

Urgent and Important: Death Sentence

R.Dis.No.F.398-39/Judl. Dated 14th July 39

To

The Superintendent, Central
Jail, Bangalore.

Petition for mercy from
Anthonisami, sentenced to
death.

Sir,

With reference to your letter No.1249/F.16, dated the 3rd July 1939, I am directed to say that the petition for mercy from Anthonisami, Convict No. 4009, has been forwarded for the orders of the Crown Representative.

I have etc.,

Secretary to the Resident.

Issued 14/7 Bm. 14/7/39

* S.N.1 Conf.p.1

Asst 13.7.39

9c

9a S.N. 7
17/7

119

In reply please quote Number and date.

Telephone No. 2131

From

P. SHAMA RAO, Esq., B.A., L. M. & S.,
Superintendent, Central Jail,
BANGALORE.

To

The Secretary to the Hon'ble the Resident in Mysore,
B A N G A L O R E.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
17 JUL. 1939
Diary No. 7333
File No.

No. 1347/7-16 Enc.

Dated 15th July 1939.

Sir,

PETITION FOR MERCY FROM CONVICT No.4009 ANTHONISAMY, SENTENCED TO SUFFER DEATH.

Ro 398/39 Jmr 17/7

---

x S.N.6 Cor. p. 18 (x) I have the honour to acknowledge the receipt of your letter No.R.Dis.F.398-39/Judl. dated the 14th instant. The Execution of the sentence is postponed pending receipt of further orders from the Hon'ble the Resident.

I have the honour to be,
Sir,
Your most obedient servant.

P. Shamarao
Superintendent. 15/7

S. N. 8

12

O.B.

No. 151

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

BANGALORE 20 JULY 39

25/39

O YH SIMLA 20 STE 44.

CAPITAL SENTENCE RESIDENT MYSORE BANGALORE.

* S.N. 5 / Corr. 16

(*) 242-1B YOUR RD.1SF398-39/JUDL JULY ELEVENTH AAA PETITION FOR MERCY FROM ANTHONISAMI SON OF RAYAPPAN AAA CROWN REPRESENTATIVE DECLINES TO INTERFERE AND LAW MUST TAKE ITS COURSE AAA PLEASE CAUSE PETITIONER TO BE INFORMED ACCORDINGLY AAA ACKNOWLEDGE

-/ POLINDIA /-

OFFICE OF THE
HIGH COURT OF THE RESIDENT
IN MYSORE, BANGALORE.
Diary No. 7483
File No. RD 398/39

B.Rao 21.7.39

BY 235 21/4

The sequence of entries at the beginning of this telegram is—class of telegram, time handed in, serial number (in the case of foreign telegrams only), office of origin, date, service instructions (if any) and number of words.

This form must accompany any enquiry respecting this telegram.

MGIPAb.—1424—5-8-36—8,801.

Telegram No.242-I.B., dated the 20th July 1939.

From ------ Polindia, Simla.

To ------ Resident Mysore.

Capital Sentence.

...

Your R.Dis.F.398-39/Judl. July 11th Petition for mercy from Anthonisami son of Kayappan. Crown Representative declines to interfere and law must take its course. Please cause petitioner to be informed accordingly. Acknowledge.

Copy forwarded to the Hon'ble the Resident in Mysore, in confirmation.

By order, etc.,

for Secretary to His Excellency
the Crown Representative.

S. N. 9

21

3 drafts
Draft 1

Please see —
S. N. 12
Corp 63
R. Dis. 2942-38

P.U.C
S.N. 9.

Issue 21/7
Issued
21/7/39

Post-copy sent

Express Telegram

No. 63|39 21st July 1939

To

Capital Simla, Polindia Simla

Received your telegram 242-IB dated ~~20th~~ July twentieth stating Crown Representative declines to interfere and law must take its course regarding Anthonisami under sentence of death.

Sd/ Rajagopalan

ASRao
21.7.39

R.D. 398-39 Judl. S.N. 10

/22

Dated 21st July 1939

Immediate and Important

Death Sentence.

3 draft / Draft III

Issue 21/7

Issued RW 21/7/39.

To

The Superintendent, Central Jail, Bangalore: ~~Your letter~~

Petition for mercy from Anthonisami, sentenced to death.

Sir,

I am directed to refer to the correspondence ending with your letter No.1347/F.16, dated the 15th July 1939.

(X) * S.N. 7 / Corp. 19

The Crown Representative has rejected the petition for mercy. The enclosed memorandum may kindly be communicated to the prisoner and its contents explained to him. The date of execution ~~Sentence~~ may kindly be intimated to this Residency.

+ Rue / S.N. 8

Please acknowledge the receipt of this letter by special messenger.

I have etc.

Secretary to the Resident.

21.7.39

S.No.11

R.D. 398-39
Judl.
Immediate and Important

Death Sentence. 21st July 1939

3 drafts
Draft II

Issue
21/7
Issued
AM
21/7/39

To

Anthoniswamy,
Convict No.4009, Central Jail,
Bangalore.

Through The Superintendent, Central Jail, Bangalore.

(X) × cor. p. 2
encl. to S.No.1

Reference his petition dated the 3rd July × 1939, for commutation of the sentence of death passed on him by the Sessions Judge, Civil and Military Station, Bangalore, in Sessions Case No. 3 of 1939, and confirmed by the Court of the Hon'ble the Resident in Mysore in Criminal Referred Case No.2 of 1939 and Criminal Appeal No.7 of 1939.

2. The petitioner is informed that the Crown Representative has declined to interfere on his behalf and that the law must take its course.

Secretary to the Resident.

AsRao
21.7.39.

S. N. 12.

IMMEDIATE & IMPORTANT. 12.37

/21.

In reply please quote Number and date.

Telephone No. 2131

Resident: 22.7.39

From

P. SHAMA RAO, Esq., B.A., L. M. & S.,
Superintendent, Central Jail,
BANGALORE.

To

The Secretary to the Hon'ble the Resident in Mysore,

B A N G A L O R E.

No. 1443/7.16. Enc.

Dated 22nd July 1939.

Sir,

PETITION FOR MERCY FROM ANTHONISAMY, SENTENCED TO SUFFER DEATH.

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* S.N. 10 ⊗ Cw p. 22

With reference to your R.Dis.No.F.398-39/Judl. dated the 21st July 1939, I have the honour to acknowledge the receipt of H.E. the Crown Representative's orders rejecting the said Anthonisami s petition for mercy, on the 21st instant. The contents of the memorandum received with the letter referred to above were explained to him on the 21st instant.

I have fixed Wednesday the 2nd August 1939 to carry out the sentence of death at 6 a.m., inside the Jail.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
24 JUL 1939
Diary No. 7564/000
File No.

I have the honour to be,
Sir,
Your most obedient servant.

I. Shamarao
Superintendent. 22/7
R.P.

NPV.